

REMARKS

This Amendment is fully responsive to the final Office Action dated June 25, 2009, issued in connection with the above-identified application. Claims 1 and 13-19 are pending in the present application. With this Amendment, claims 1 and 13-15 have been amended; and claims 16-19 have been canceled without prejudice or disclaimer to the subject matter therein. No new matter has been introduced by the amendments made to the claims. Favorable reconsideration is respectfully requested.

In the Office Action, claims 1 and 13-15 have been rejected under 35 U.S.C. 102(e) as being anticipated by Hasegawa (U.S. Publication No. 2004/0072591, hereafter "Hasegawa").

The Applicants have amended independent claims 1 and 13-15 to help further distinguish the present invention from the cited prior art. More specifically, independent claims 1 and 13-15 have been amended to point out in more detail the meaning of "contactless communication." For example, independent claim 1 (as amended) recites *inter alia* the following features:

"[a] mobile telephone which accommodates an IC card having a memory area for storing information regarding electronic money, the mobile telephone comprising: ...

a wireless communications control section operable;

to determine, when the IC card is placed over the automatic ticket gate, that the contactless communication requires a high security level in a case where said second wireless communications section accesses the memory area for storing the information regarding electronic money to perform processing of exchanging the electronic money with a reader/writer; and

to prohibit, in order to prevent said first wireless communications section from causing radio interferences to said second wireless communications section, the mobile telephone communication performed by said first wireless communications section to an extent greater than a case where the memory area for storing the information regarding electronic money is not accessed." (Emphasis added).

The features emphasized above in independent claim 1 are similarly recited in independent claims 13-15. That is, independent claim 13 is a corresponding method, and independent claims 14 is a corresponding program; and both claims have steps directed to the features emphasized above independent claim 1. Additionally, independent claim 15 is an

integrated circuit that includes circuitry directed to the features emphasized above in independent claim 1. The features emphasized above in independent claim 1 (and similarly recited in independent claims 13-15) are fully supported by the Applicants' disclosure (see e.g., paragraphs [0004]-[0007], [0010], [0013], [0041]-[0044], [0048], [0053], [0056], [0058] of Applicants' disclosure).

The present invention (as recited in independent claims 1 and 13-15) is distinguishable from the cited prior art in that when an IC card is placed over an automatic ticket gate, a determination is made regarding whether the contactless communication requires a high security level when a second wireless communications section accesses a memory area storing information regarding electronic money (i.e., for performing the exchange the electronic money with a reader/writer).

Additionally, the present invention (as recited in independent claims 1 and 13-15) prohibits, in order to prevent a first wireless communications section from causing radio interferences with the second wireless communications section, mobile telephone communication by the first wireless communications section when the second wireless communications section accesses the memory area for the exchange of money.

In the Office Action, the Examiner relies on Hasegawa for disclosing all the features recited in independent claims 1 and 13-15. However, the Applicants assert that Hasegawa fails to disclose or suggest the features now recited in independent claims 1 and 13-15, as amended.

The present invention (as recited in independent claims 1 and 13-15) and Hasegawa are arguably similar with regard to switching states of some functions based on a result of a communication performed by a contactless IC. Specifically, in Hasegawa, a mobile telephone is checked at an entrance gate of a concert hall or the like (i.e., responsive to a communication performed by a contactless IC) so as to change the function of the mobile telephone to a manner mode or to turn off the power based on the communication performed by the contactless IC card being completed.

However, in the present invention (as recited in independent claims 1 and 13-15) a mobile telephone communication is prohibited in order to cause a contactless communication itself performed by a contactless IC to be normally completed when a memory area for storing information regarding electric money is accessed (i.e., for performing the exchange of electronic

money with a reader/writer). Accordingly, radio interferences are prevented during important processing operations by the mobile telephone of the present invention.

In summary, Hasegawa performs two related things: 1) an entrance check; and 2) a mode switching of a mobile telephone based on one communication performed by a contactless IC at an entrance gate. Thus, Hasegawa merely discloses a simple known prior art device or method having the only distinctive feature of combining these two related things (i.e., an entrance check, and a mode switching). In addition, nothing in Hasegawa discloses or suggests consideration of an importance level or a security level of the information being exchanged.

However, the present invention (as recited in independent claims 1 and 13-15) is distinguishable from Hasegawa with regard to prohibiting a mobile telephone communication for processing information less important when an important communication is performed (i.e., like exchanging electronic money where a high-security level is required and an error could be detrimental).

Accordingly, the technical features and the advantages provided by the present invention (as recited in independent claims 1 and 13-15) are completely different from that of Hasegawa. Based on the above discussion, independent claims 1 and 13-15 (as amended) are not anticipated or rendered obvious by Hasegawa.

In the Office Action, claims 16-19 have been rejected under 35 U.S.C. 103(a) as being unpatentable over Hasegawa in view of Yamagata (U.S. Publication No. 2003/0174839, hereafter "Yamagata"). As noted above, claims 16-19 have been canceled, thereby rendering the above rejection to those claims moot.

In light of the above, the Applicants respectfully submit that all the pending claims are patentable over the prior art of record. The Applicants respectfully request that the Examiner withdraw the rejections presented in the outstanding Office Action, and pass this application to issue.

The Examiner is invited to contact the undersigned attorney by telephone to resolve any remaining issues.

Respectfully submitted,

Yuka MATSUSHITA et al.

/Mark D. Pratt/

By 2009.09.25 14:30:10 -04'00'

Mark D. Pratt

Registration No. 45,794

Attorney for Applicants

MDP/ekb
Washington, D.C. 20005-1503
Telephone (202) 721-8200
Facsimile (202) 721-8250
September 25, 2009